

**ORDINANCE NO. 2007-1**

**AN ORDINANCE AMENDING THE TOWN CODE OF DUNE ACRES INDIANA,  
SECTION 34 - ARTICLE II  
REGARDING  
"PARKING AND VEHICLE OPERATION"**

**WHEREAS**, it has been determined by the Dune Acres Town Council "the Council" that it is in the best interest of the Town of Dune Acres "the Town" to revise and amend the existing codes regarding restrictions for parking generally and applicable penalties, within the Town.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council as follows:

**SECTION 1.** The Town Code of Dune Acres, Indiana, Chapter 34 "Traffic and Violations", Article II "Parking and Vehicle Operation", Sections 34-19 through 34-27 governing Parking, Vehicle Operation, and Penalties, are deleted in their entirety and replaced with the following:

**ARTICLE II. PARKING AND VEHICLE OPERATION**

***Section 34-19 Intent to limit parking.***

Dune Acres has narrow roads, no sidewalks and relatively few parking areas. This is due to the topography of the Town and the natural hills and sand dunes throughout the Town. It is the intent of the Town to preserve the natural environment by maintaining minimal general parking areas. Therefore, it has been deemed necessary by the Town Council to limit parking on Town roads, easements and designated parking areas, to those vehicles possessing currently issued Parking Permits. The Parking Permits further assist Security Personnel to identify Town Property Owners.

***Section 34-20 Parking Permits Issued.***

Vehicle Parking Permits (also known as Parking Stickers or Decals) are sold only to Property Owners of Dune Acres. Applications for Parking Permits are available from the Security Office or the Clerk-Treasurer. The Clerk-Treasurer will issue the Parking Permits and maintain a record of the address, vehicle description and signature of the

Property Owner. Only currently issued Permits are valid and supercede any previous parking permits. Parking Permits are to be permanently attached to the lower right hand inside corner of a windshield, or if no windshield, on any visible surface on the right side of the vehicle. Parking Permits are non-transferable, however they will be reissued in the event the Property Owner replaces one vehicle with another vehicle. Vehicles that display Parking Permits, which do not match the registration records, will be considered in violation of this Ordinance and subject to Towing. The Town Council shall periodically determine the design, fee and duration of Parking Permits.

*Section 34-22                      Definition of Vehicles*

Whenever the term '**Vehicle**' is used in the language of this Chapter of the Town Code, it shall be construed to mean any motorized conveyance such as, but not limited to: automobile, bus, camper, truck, tractor, scooter, motorcycle, moped, golf cart, all terrain vehicle (ATV) or similar device to transport people. A non-motorized trailer of any kind, such as a camper, boat trailer or other towed device, if connected to any self-propelled device, is considered to be part of the motorized vehicle. If the non-motorized device is disconnected, then that non-motorized device is considered a motorized vehicle and the owner must obtain and display a Parking Permit for that device.

*Section 34-23                      Parking Permits Required for Roads, Easements or Designated Parking Areas.*

It shall be unlawful for any vehicle to stop, stand or park in the Town other than for emergencies or when legally required, unless the operator is a Town property owner with a current Parking Permit permanently affixed to their vehicle, or the vehicle displays a visible Guest, Contractor or Renter Parking Permit. Vehicles without a valid Parking Permit may be issued a **Parking Violation Summons** and/or **Towed at the owner's expense**. No parking permit is required to attend a scheduled party, event or meeting at the Town Hall or ClubHouse. No overnight parking is allowed on any road from 1:00 AM through 7:00 AM any night, unless the Security Office has issued a written permit. Security Officer's personal vehicles and Town owned vehicles are exempt from this Section. No road parking is permitted anywhere within the Town when snowfall exceeds two (2) inches.

***Section 34-24                      Designated Parking Locations,***

Designated off-road parking locations are:

- a.     East Road - Tennis court and Town Hall areas.
- b.     Ridge Road - Beach parking area.
- c.     Beach Drive - Beach parking area.
- d.     West Road - Beach parking area.
- e.     Hill Road - Beach parking area.
- f.     Clubhouse - Upper and lower parking areas.
- g.     Security Office - Rear parking area.

***Section 34-25                      Designated Beach Parking***

It shall be unlawful for any person or Property Owner to park a vehicle in a designated beach parking area or on a road or easement, unless that vehicle displays a current Parking Permit.

***Section 34-26                      Guest Parking Permits.***

Only Property Owners, who have been issued a current Parking Permit, may obtain a **Guest Parking Permit** from the Security Office. A request form will record the name of the guest, description of the vehicle, the date(s) requested and shall be signed by the Property Owner. They are issued for a specific day or weekend and are not continuous. The Guest Parking Permit must be placed on the dashboard of each vehicle in a visible location at all times. Failure to do so may result in Towing. The Security Office has the authority to limit the number of Guest Parking Permits issued to any Property Owner. The Police/Security Commissioner or their designee shall have the authority to make final decisions on the issuance of Guest Parking Permits.

***Section 34-27                      Contractor Parking Permits.***

Property Owners, who have been issued a current Parking Permit, may request **Contractor Parking Permits** for contractors and their employees when performing new construction or maintenance at their property, and **ONLY IF there is no suitable parking site on the property.** The Building Commissioner must sign the request form for this permit. Permits must be placed in a visible location on the right side of the dashboard of the vehicle. Contractor Parking Permits are valid only at the construction site. No beach parking is permitted. The Police/Security Commissioner or their

designee shall have the authority to make final decisions on the issuance of Contractor Parking Permits. Contractor and employee vehicle parking, delivery or unloading of any materials must not block traffic on any road. The Building Commissioner and/or Security Officers will enforce unreasonable blockage or parking. The Contractor in advance of any planned blockage or traffic restriction must obtain permission from the Building Commissioner.

The Town may issue Contractor Parking Permits for contractors performing Town work. The Commissioner overseeing the work of the contractor must request contractor Parking Permits from the Security Office.

#### ***Section 34-28            Renter Parking Permits***

Property Owners who have been issued a current Parking Permit, and rent their residence to non-family individuals, may request a **Renter Parking Permit** Application from the Security Office. Renter Parking Permits are issued at the written request of, and signed by the Property Owner. The Application shall include a description of the vehicle(s) (limit 2), license plate information as well as list all the individuals who will drive the registered vehicles. Renter Parking Permits are issued for up to fifteen (15) days only. Extensions require the written request of the Property Owner. Renters must display this Renter Parking Permit on the dashboard of their designated vehicle at all times. Violation subjects the vehicle to Towing at the owner's expense. The Police/Security Commissioner or their designee shall have the authority to make final decisions on the issuance of Renter Parking Permits.

#### ***Section 34-29            Driving Vehicles on Residential Beaches or Parkland is Prohibited,***

No vehicle shall be driven onto the residential beach or park areas of the Town, nor may any vehicle leave the paved road unless preapproved in writing by the Security Commissioner or Town Council.

***Section 34-30           Speed Limits.***

The speed limit is 20 MPH on all Dune Acres roads, except for that section of Mineral Springs Road south of the Security Office, where it is posted 30 MPH.

***Section 34-31           Weight Restricted.***

Due to the nature of the land on which roads are constructed and the type of road construction, no person shall operate a vehicle in excess of Fifteen tons on the roads in the Town. Any emergency equipment is excepted from this restriction. During any designated frost period, this weight restriction is reduced to Seven tons.

***Section 34-32           Enforcement***

In the event that a violation of this Ordinance shall occur, the violator shall be notified through a **Violation Summons** being placed upon the owner's vehicle or by personal service. If any unoccupied vehicle is found illegally stopped, standing or parked in violation of any of the provisions of this article, the owner or person in whose name the vehicle is registered, shall be held prima-facie responsible for the violation penalty and is **subject to Towing**. The violation summons shall be properly completed by a Security-Officer, Security-Police Commissioner or by the Porter County Sheriffs Police. The Dune Acres Security-Police Commissioner is authorized to enforce the terms and provisions of this Ordinance. This Ordinance shall in no way prohibit the Town from enforcing the proscribed actions by use of criminal prosecution of applicable state statutes, or other civil remedy. It is the responsibility of the violator to either pay the fine listed upon the citation within the time frame listed, or to attend the court hearing to defend against the Violation Summons. The Town Attorney shall prosecute the violation in a court of competent jurisdiction within the County of Porter.

**Section 34-33                      Penalties.**

The Violation Summons will permit said owner or operator to plead guilty to improper parking or vehicle operation and pay a fine to the Clerk-Treasurer of the Town in the sum of Fifty Dollars (\$50.00) for each violation. If the fine is not paid within the specified period of time the Summons will be turned over to the Town Attorney for further disposition. Upon the finding of guilty by any court of proper jurisdiction, a fine shall be imposed against the operator or owner of said vehicle in the sum of One Hundred and Fifty Dollars (\$150.00) for each violation.

**SECTION TWO.**                      This Ordinance shall become effective upon passage, adoption and publication by the Town Council of the Town of Dune Acres. All Sections and Subsections and Articles amended by this Ordinance shall become part of the Town Code of the Town of Dune Acres and shall supercede the amended Sections, Subsections or Articles herein.

**SECTION THREE.**                      All Sections, Subsections or Articles contained within the Town Code of the Town of Dune Acres, which are not specifically addressed or amended by this Ordinance, shall remain in full force and effect and shall not be effected by the adoption of this Ordinance.

***PASSED AND ADOPTED*** this \_\_\_\_\_ day of \_\_\_\_\_, 2007

**TOWN COUNCIL  
TOWN OF DUNE ACRES, INDIANA**

\_\_\_\_\_  
John Wilhelm, Council President

\_\_\_\_\_  
Ben Bolton, Councilmember

\_\_\_\_\_  
Louise Roberts, Councilmember

ATTEST:

\_\_\_\_\_  
Clerk-Treasurer of the Town of  
Dune Acres, Indiana